IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 14518 of 2005

Between:

Nagarjuna Educational Society, Bose Bomma Center, Tiruvuru,
Krishna District, Rep by its Secretary Vemuri Nageswara Rao,

S/o. Chinna Kotaiah, Aged about 39 years,
R/o. Tiruvuru, Krishna District.

..... PETITIONER

AND

The Andhra Pradesh State Council of Higher Education (APSCHE),

(A Statutory Body of the Government of A.P.)
Masab Tank, Saifabad, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to pass an order or orders or writ more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not granting permission to the petitioner to start private Degree College (Unaided) at Tiruvuru for the academic year 2005-2006 pursuant to the notification issued by the respondent dated 24-11-2004 and the application No. 5028, as arbitrary, illegal, void ab-initio besides violative of Article 14 of constitution of India and violative of principles of natural justice and consequently direct the respondent herein to grant permission to the petitioner to start Private Degree College (Unaided) at Tiruvuru for the academic year 2005-2006 as per the notification in application No. 5028 forthwith.

Counsel for the Petitioner: MR.SREENIVASA RAO VELIVELA

Counsel for the Respondent: MR.C.SUDESH ANAND,

(SC FOR APSCHE)

The Court at the stage of admission made the following:

ORDER:

The grievance of the petitioner is that it made an application seeking permission for starting a new Private Degree College (un-aided) at Tiruvuru, for the academic year 2005-06 pursuant to the notification dated 24-11-2004. However, the respondents did not pass any orders. Hence, the present writ petition.

2. At the time of hearing, it is stated by the learned counsel for the petitioner that the high level committee had even inspected the petitioner's premises for considering the application.

3 . However, the learned counsel appearing for the respondent stated that another writ petition was filed in W.P.No.12699 of 2005 seeking a direction to the respondents not to grant any permission for starting a new Degree College at Tiruvuru. In that writ petition, it is stated that an interim order was passed by this Court directing the respondents to consider the feasibility or otherwise of granting permission for a new College before passing any orders. Therefore, the learned counsel stated that it may take a little more time for considering the case of the petitioner in the light of the directions of this Court.

4. In any case, as the matter is pending before the respondent, the respondent is directed to pass appropriate orders on merits and in the light of the directions issued by this Court, expeditiously.

5. Accordingly, the writ petition is disposed of. No order as to costs.

S.ANANDA REDDY, J

06th July, 2005

Note:

Furnish C.C. by tomorrow.

B/o.

SKM

To

1 The Andhra Pradesh State Council of Higher Education (APSCHE),

(A Statutory Body of the Government of A.P.)
Masab Tank, Saifabad, Hyderabad**.**

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